

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MALBCO HOLDINGS, LLC,

No. 3:14-cv-00947-PK

Plaintiff,

BHUPENDRA R. PATEL, et al.,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Papak issued a Findings & Recommendation (#149) on August 31, 2016, in which he recommends the Court deny Defendants' motions to dismiss claims for attorney's fees and punitive damages. All Defendants have timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th

Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

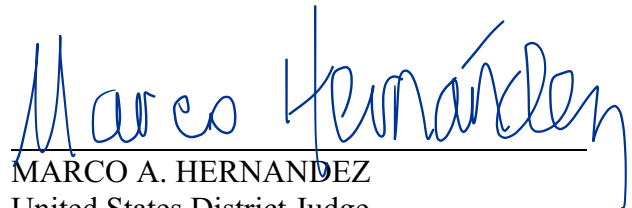
I have carefully considered all of the Defendants' objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [149], and therefore, Defendants' Motions to Dismiss [128, 129, 130] are denied, with leave to renew the attorney's fee portion of the motion after entry of judgment, if appropriate.

IT IS SO ORDERED.

DATED this 29 day of Oct, 2016.


MARCO A. HERNANDEZ
United States District Judge